

DEC 28 2007

PATENT  
Docket No. 290.00500101

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SANDERS et al.	)	Group Art Unit:	1648
	)		
Serial No.: 10/516,578	)	Examiner:	Bo Peng
	)		
§ 371 Date: 16 November 2005	)	Confirmation No.:	5513
Int'l Filing Date: 4 June 2003	)		
	)		
For: PSEUDOTYPED RETROVIRUSES			

---

RESPONSE TO RESTRICTION REQUIREMENT  
AND SPECIES ELECTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Election/Restriction Requirement mailed October 31, 2007, Applicants elect Group I (claims 1-13), drawn to the technical feature of a pseudotyped retrovirus. Additionally, with respect to the first species election, Applicants elect the retroviral core and control elements from Mo-MuLV. Applicants further elect, as the species of biomolecule, a protein.

Furthermore, with respect to the species elections, it is understood that (a) the requirement will be withdrawn upon the finding of an allowable genus; and (b) any species withdrawn from consideration will be transferred to the elected subject matter unless it is found patentably distinct from the elected or allowed claims.

Claims encompassing the elected invention include claims 1, 2, 5, 6, 8-11, and 13. Of these, claims 1, 5, 8-10, and 13 are generic with respect to both species; claims 2 and 11 are generic with respect to the species of biomolecule, and claim 6 is generic with respect to the species of retroviral core and control elements.

Applicants reserve the right to pursue examination of any non-elected claims in continuation or divisional applications.

**Response to Restriction Requirement and Species Election**

Page 2 of 2

Applicant(s): SANDERS et al.

Serial No.: 10/516,578

Confirmation No.: 5513

S371 Date: 16 November 2005

For: PSEUDOTYPED RETROVIRUSES

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number if prosecution of this application may be assisted thereby.

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on this 28 day of December, 2007, at 11:00 A.M. (Central Time).

By: Sandy Truhart  
Name: Sandy Truhart

Dec 28, 2007  
Date

Respectfully submitted

By

Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Phone: (612)305-1220  
Facsimile: (612)305-1228  
**Customer Number 26813**

By: Victoria A. Sandberg  
Victoria A. Sandberg  
Reg. No. 41,287  
Direct Dial (612)305-1226